

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TARASIK ABDELL, et al.

Index No. : 05 CV 8453

-v-

AFFIDAVIT OF SERVICE

THE CITY OF NEW YORK, et al.


State of New York)
) ss.:
County of New York)

Luis R. Ayala, being duly sworn, deposes and says that the deponent is not a party to this action, is over the age of eighteen years, is an independent process server (license number 1024905), and resides in the State of New York:

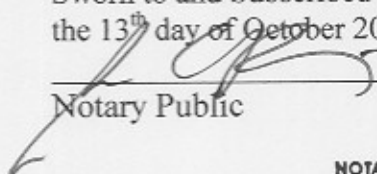
(1) That on the 12th day of October 2005 at 10:00 a.m. deponent served a Summons and Complaint in the above-captioned matter upon Terrence Monahan at his place of employment, NYPD, Patrol Borough Bronx, 450 Cross Bronx Expressway, Bronx, NY 10457. The documents were accepted and signed for by SPA Simmons. She was African-American, approximately 5'6", 140 pounds, 55 years old with glasses and black hair.

(2) That on the 13th day of October 2005, deponent mailed true copies of the Summons and Complaint to Terrence Monahan at the same address where he was served. The envelope was marked "Personal and Confidential" and without any indication that communication was from an attorney or concerned any action against the individual. The envelope was placed in a U.S. mailbox at the post office located at Vermilyea and 204th Street,

New York, NY.


10/13/05
Luis R. Ayala
109 Seaman Ave., #4E
New York, NY 10034

Sworn to and Subscribed Before Me
the 13th day of October 2005


Notary Public

SUSAN C. BAILEY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01BA6121503
Qualified in New York County
Commission Expires January 18, 2009

SUSAN C. BAILEY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01BA6121503
Qualified in New York County
Commission Expires January 18, 2009

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

TARASIK ABDELL, et al.

SUMMONS IN A CIVIL ACTION

V.

THE CITY OF NEW YORK, et al.

CASE NUMBER:

05 CV 8453

TO: (Name and address of Defendant)

Terrence Monahan
Assistant Chief
New York City Police Dept.
Patrol Borough Bronx
450 Cross Bronx Expressway
Bronx, NY 10457

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael L. Spiegel
111 Broadway, Suite 1305
New York, NY 10006

Summons

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

SEP 30 2005

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.